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Attorneys for Plaintiffs

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

(SAN FRANCISCO DIVISION)

In re: Bextra and Celebrex Marketing Sales
Practices and Product Liability Litigation

MDL No. 1699

District Judge: Charles R. Breyer
Magistrate:

SHARON TUMINSKI, individually,
and NORMA WINTON, individually,

Plaintiffs,

vs.

Pfizer, Inc., et al.

Defendants.

Case No. C 06 4048 CRB

STIPULATION AND ~~PROPOSED~~
ORDER OF DISMISSAL WITHOUT
PREJUDICE AS TO PLAINTIFFS
SHARON TUMINSKI AND NORMA
WINTON

Comes now the Plaintiffs, Norma Winton, Sharon Tuminski ("Plaintiffs"), and Defendants
Pfizer, Inc., Pharmacia, Corp., and G.D. Searle & Co. ("Defendants"), by and through the
undersigned attorneys, pursuant to Federal Rule of Civil Procedure, Rule 41(a), and hereby
stipulate to the dismissal of the following plaintiffs' claims without prejudice with each side
bearing its own attorneys' fees and costs:

1. Norma Winton, Case No. C 06 4048 CRB
2. Sharon Tuminski, Case No. C 06 4048 CRB

1 This Stipulation and Order, does not affect any claims on behalf of the following named
2 Plaintiffs:

- 3 1. Mark Coats, Case No. C 06 4048 CRB
- 4 2. Joan Detloff, Case No. C 06 4048 CRB RB
- 5 3. Katherine Greenwood, Case No. C 06 4048 CRB
- 6 4. Loretta Meinsen, Case No. C 06 4048 CRB
- 7 5. Ronald St. Pierre, Case No. C 06 4048 CRB
- 8 6. Margie Tims, Case No. C 06 4048 CRB
- 9 7. Joesph Wilcher, Case No. C 06 4048 CRB
- 10 8. Freddie Smith, Case No. C 06 4048 CRB
- 11 9. Gerald Rittenberry, Case No. C 06 4048 CRB

12 Plaintiffs, Norma Winton and Sharon Tuminksi agree to re-file any and all claims against
13 Defendants, in a United States District Court.

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17 Dated: February 22, 2007

18 Respectfully submitted

19 By: 

20 Stuart M. Gordon, Esq.
21 CA Bar No.: 37477
22 GORDON & REES, LLP
23 275 Battery Street, Ste. 2000
24 San Francisco, CA 94111
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Attorney for the Defendants

Dated: February 21, 2007

Respectfully submitted

By: 

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ORDER OF DISMISSAL WITHOUT PREJUDICE

THIS MATTER having come before this Court on the Parties Stipulation of Dismissal, pursuant to Federal Rule of Civil Procedure 41(a), it is hereby ORDERED AND ADJUDGED:

This matter is dismissed without prejudice with each side bearing its own attorneys' fees and costs.

DONE AND ORDERED this 26th day of February, 2007, in San Francisco, California.

Conformed copies to:
B. Kristian W. Rasmussen, Esquire
Stuart M. Gordon, Esquire

